

Prescription Drug Misuse and Overdose Prevention and Pain Management Advisory Council Bylaws

The name of this organization is the “Prescription Drug Misuse and Overdose Prevention and Pain Management Advisory Council”, hereafter referred to as the “Council”.

The Council was established pursuant to NMSA 1978 24-2D-5.2, which in turn resulted from Senate Bill 215, in the 2012 Legislature.

(Explanatory information)

The Statute provides for:

Administrative attachment to the Department of Health

Gubernatorial appointment of members

Membership from certain organizations and membership of certain individuals

Meetings, which shall be held at least quarterly

Council duties

Travel for payment of per diem and mileage for members who are not public employees.

Membership

A member of the Council is someone who has been appointed by the Governor and whose appointment has been announced to the Department of Health. (This does not say that they must be a representative of one of the named organizations or individual roles.)

Quorum

A quorum shall consist of the presence at the physical meeting location by a majority of the members, who have been appointed by the Governor.

Open Meetings

All meetings of the Council shall be open to the public.

Meeting location

Meetings shall be held at a designated location, as announced in the announcement of a meeting. There are no provisions for remote telephonic and/or video participation in meetings of the Council. Council members will only be determined to be present if they are present at the meeting site.

Voting

Voting may only occur at the actual meeting, at the actual meeting site. Voting by proxy (Voting by a non-member in behalf of a member of the Council, or a member in behalf of an absent member) will not be accepted.

Selection of a Chair and Vice Chair

The Chair of the Council will be designated by the Secretary of the Department of Health.

A Vice Chair may be elected by the Council by a simple majority in a meeting of the Council in which a quorum is present, subject to the approval of the Secretary of the Department of Health. The Vice Chair will conduct meetings that are called by the Chair, in the absence of the Chair. A Vice Chair may be removed by a simple majority in a meeting of the Council, in which a quorum is present, subject to the approval of the Secretary of the Department of Health.

Establishment of and changes to Bylaws

The Bylaws may be established and changed by a vote of at least two thirds of the members of the Council. (This does not say two thirds of the members present at a meeting.)

Council Recommendations

Only Members of the Council may propose or vote on official actions of the Council

Conflict of Interest

Appearances of Conflict of Interest will be managed by identification of organizational affiliations of members of the Council.